

Apr 23, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 4:17-CR-06033-EFS-1

Plaintiff,

ORDER GRANTING IN PART
MOTION TO MODIFY
CONDITIONS OF RELEASE

vs.

JAMES JOHN WILSON,

ECF No. 37

Defendant.

On Monday, April 23, 2018, the Court conducted a hearing on Defendant's Motion to Modify Conditions of Release (ECF No. 37). Defendant appeared telephonically and was represented by Assistant Federal Defender Paul Shelton. Assistant United States Attorney Thomas Hanlon represented the United States.

The Court considered counsels' arguments. The Court recognized the logistical challenges of the Federal Defenders' representation of a client who resides several hundred miles away and grants Defendant's request to acquire one electronic device, which must be disclosed to and approved by the Probation

ORDER - 1

1 Office, for the sole purpose of communicating with counsel. Defendant may not
2 access the internet for any other purpose than communicating with counsel.
3 However, the Court does not find sufficient cause to modify Defendant's
4 conditions of release to accommodate Plaintiff's hobby of flying a drone.

5 Accordingly:

6 IT IS HEREBY ORDERED:

7 1. The Motion to Modify Conditions of Release (ECF No. 37) is GRANTED
8 IN PART.
9 2. Defendant's previously-imposed Special Condition of Release 7 (ECF No.
10 18) is MODIFIED as follows:

11 Defendant shall not directly or indirectly use or possess a computer or
12 electronic media, including any devices and cellular phones, with internet
13 access capabilities or access a computer or electronic media without the
14 prior approval of the United States Probation/Pretrial Services Office, with
15 the following exception: Defendant shall be permitted to possess one
16 electronic device, approved by the United States Probation/Pretrial
17 Services Office, for the sole purpose of communicating with court-
18 appointed counsel. This device shall be subject to monitoring software
19 and may not be used for any other internet access. Defendant shall also
20 not access the internet or internet bulletin boards or private or public
computer networks without prior approval of the United States
Probation/Pretrial Services Office.

21 The United States Probation/Pretrial Services Office shall be permitted to
22 install monitoring software on the electronic device within defendant's
23 possession or control that allows random and/or regular monitoring of
24 defendant's computer use. The United States Probation/Pretrial Services
25 Office shall also be allowed inspection of any such computer or tablet
device, including retrieval, copying, and review of its electronic contents.

3. Defendant's other previously-imposed conditions of release (ECF No. 18) remain in effect.

DATED April 23, 2018.

s/Mary K. Dimke
MARY K. DIMKE
UNITED STATES MAGISTRATE JUDGE